

REMARKS

Drawing Objection

In response to the Examiner's objection to the drawings (Office Action, paragraph 4), Applicants have amended the specification to correct a typographical error. Applicants respectfully request that the objection to the drawings be withdrawn.

Amendments to the Specification

Applicants have amended the specification to correct a typographical error and to further elucidate aspects of the invention clearly shown in the drawings. No new matter is believed to be added.

Claim Objection

Claim 48 is amended to correct the informality noted by the Examiner (Office Action, paragraph 5).

Claim Rejections under 35 U.S.C. § 102

Claim 22 is amended to make explicit that which Applicants believe was previously implicit in the claim language, namely, that the lancet magazine comprises an opening into which the lancing device can be inserted to remove an individual lancet from the lancet magazine "in a first direction substantially parallel to a longitudinal axis of the lancing device" and a transport device "adapted to travel within the lancet magazine in a second direction substantially perpendicular to the first direction to transport lancets in the lancet magazine." The portion of Raybin's alleged "transport device" that moves blades into position to be ejected (spring 10) is either compressed or decompressed, depending on the number of blades in the stack (Fig. 6). It does not "travel within the lancet magazine" as particularly recited in amended claim 22. Also, Raybin's blade pusher 3 only moves in a

direction parallel to the longitudinal axis of the blade holder 15. Thus, neither spring 10 nor blade pusher 3 meets all of the limitations of the claimed transport device.

Claim 50 is amended to depend from independent claim 22, which, as discussed above, is patentable over the prior art of record.

Claim Rejections under 35 U.S.C. § 103

Claim 47 depends from claim 22, which, as discussed above, is patentable over the prior art of record.

New Claims

Claims 53 and 54 have been added and are believed to be patentable over the cited art.

New claim 53 particularly recites a lancet magazine having two openings, similar to claim 26, which the Examiner has indicated would be allowable if rewritten into independent form.

New claim 54 recites a lancet magazine containing limitations similar to amended claim 22, which is patentable over the cited art, as discussed above.

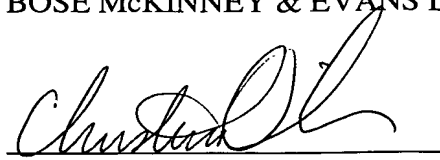
Final Remarks

The Examiner is asked to call Applicants' attorney, Christine E. M. Orich at 317-684-5414, or James A. Coles at 317-684-5251, to address any outstanding issues in order to expedite the prosecution of this application for all parties.

If necessary, Applicants request that this Amendment be considered a request for an extension of time for a time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this Response be charged to the account of Bose McKinney & Evans, Deposit Account No. 02-3223.

Respectfully submitted,

BOSE McKINNEY & EVANS LLP

A handwritten signature in cursive script, appearing to read "Christine E. M. Orich", written over a horizontal line.

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